

Information Disclosure Statement:

The Office Action states that the information disclosure statement filed February 12, 2002 still has not been located. Enclosed herewith is copy of the return receipt postcard date stamped by the Office showing that the Office did in fact receive copies of each listed reference. For the Examiner's convenience, additional copies of the references are submitted herewith. Since the information disclosure statement filed February 12, 2002 was in compliance with the appropriate rules and regulations, and Applicants have provided copies of the listed references, Applicants respectfully request the Examiner to fully consider the information disclosure statement. Applicants also note that all references are in the English language.

Section 102(e) Rejection:

The Office Action rejected claims 1-7, 9-15, 17, 20-28, 30-37, 39, 42-50, 52-58, 60, and 63-64 under 35 U.S.C. § 102(e) as being anticipated by Wygodny et al. (U.S. Patent 6,282,701) (hereinafter "Wygodny"). Applicants respectfully traverse this rejection for at least the following reasons.

Wygodny does not teach **"a thread-safe remote control service which is executable on the client computer system to receive control requests from an external source to initiate and manage the debug services on the client computer system,"** as recited in Applicant's claim 1. Wygodny teaches a Bugtrapper agent 104 which is executed by a remote customer, who in turn may send the generated trace file back to a developer via email.

Specifically, Wygodny states: "Remote mode is used primarily to provide support to users 110 that are located remotely relative to the developer 112. In remote mode, the agent 104 is provided to the user 110 as a stand-alone component that enables the user to generate a trace log file that represents the execution of the client." (col. 6, lines 21 – 26) Wygodny further states: "*From the perspective of the remote user, the agent 104 acts*

essentially as a black box that records the execution path of the client 102. As explained above, the trace itself is not displayed on the screen, but immediately after the bug reoccurs in the application, *the user 110 can dump the trace data to the trace log file 122 and send this file to the developer 112* (such as by email) for analysis.” (col. 6, lines 38 – 45)

The Examiner states in the Final Office Action that Fig. 1B indicates that bugtrapper 104 is on the Agent side (i.e. remotely located) while the traced application (item 102) is on the Client side (remote to the agent side). However, Applicant notes that **all objects depicted in Fig. 1B are located at the customer site (i.e. on the same computer)**, as is indicated by the underlined caption “At the customer site” located immediately above TCI file 120 in Fig. 1B. Furthermore, the “client side” refers to the *traced user application*, which is identified as the “client” in Fig. 1B and at col. 5, lines 30 – 31, while the “agent side” refers to the bugtrapper agent 104. Wygodny clearly teaches that both the user application and the bugtrapper agent run together on the same computer. Thus, the bugtrapper agent is clearly not remote to the user application.

Wygodny clearly teaches that bugtrapper agent 104 is run by the remote user on the same computer as the application. Applicant can find no language in Wygodny that teaches or suggests “a thread-safe remote control service which is executable on the client computer system to receive control requests from an external source to initiate and manage the debug services on the client computer system,” as recited in Applicant’s claim 1. Applicants remind the Examiner that anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The identical invention must be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Wygodny clearly does not anticipate Applicants’ claimed invention. For at least these reasons, claim 1, along with its dependent claims 2 – 15, and 17 – 21, are believed to patentably distinguish over the cited reference. Independent claims 22 and 44 recite features similar to claim 1, and are

thus also believed to patentably distinguish over the cited reference for at least the reasons given above in regard to claim 1, along with their dependent claims.

Section 103(a) Rejection:

The Office Action rejected claims 8, 29 and 51 under 35 U.S.C. § 103(a) as being unpatentable over Wygodny in view of “Applicant choice of languages used to implement his invention”. This rejection is clearly improper as the Examiner is attempting to reject the claims in view of Applicants’ own work. Furthermore, the reasons stated in the previous Action referred to other programming languages, whereas claims 8, 29 and 51 refer to a plurality of regional or national languages, not programming languages. The Examiner clearly has not established a proper rejection of claims 8, 29 and 51.

Claims 18-19, 40-41 and 61-62 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wygodny as applied to claims 1, 22 and 44, and further in view of Kaler (U.S. Patent 6,467,052). These claims are distinguishable over the cited art for at least the reasons given above in regard to the claims from which they depend.

In regard to the rejections under both section 102(e) and section 103(a), Applicants also assert that numerous ones of the dependent claims recited further distinctions over the cited art. However, since the independent claims have been shown to be patentably distinct, a further discussion of the dependent claims is not necessary at this time.

CONCLUSION

Applicants submit the application is in condition for allowance, and notice to that effect is respectfully requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5181-48500/RCK.

Also enclosed herewith are the following items:

- ☒ Return Receipt Postcard
- ☐ Petition for Extension of Time
- ☐ Notice of Change of Address
- ☐ Fee Authorization Form authorizing a deposit account debit in the amount of \$
for fees ().
- ☒ Other: Copy of IDS with accompanying Form PTO-1449 and cited references which were
previously submitted on February 12, 2002. A Copy of date-stamped return receipt postcard from
IDS of February 12, 2002

Respectfully submitted,



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